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ABSTRACT

The paper describes the development and implications of Chapter 688 in Massachusetts which provides for a 2-year transitional process to plan for habilitative services for severely disabled young adults who will lose their entitlement to special education upon graduating or reaching the age of 22. The law requires an individualized transition plan (ITP) and mandates cooperative action among human services agencies. Following a brief discussion of eligibility, the paper examines the operation of the system, including initial referral for services beyond graduation or turning 22, and the development of the ITP. The function of the Bureau of Transitional Planning is described. The paper concludes with an analysis of the challenge posed by the new legislation. (CL)

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CH. 688--TRANSITIONING FROM SPECIAL EDUCATION INTO ADULT HUMAN SERVICES

INTRODUCTION

by Mary Ann Walsh

In December, 1983, Governor Michael Dukakis signed a law of national significance. Ch. 688, known as "The Turning 22 Law", is the result of vigorous efforts by families, advocates and educators to create a planned transition from special education into the adult human services system. This was achieved after four years of grass-roots organizing, educating and lobbying. The message was "turning 22" should not mean the end of learning and developing for our disabled citizens.

Massachusetts' Ch. 766 special education law is an entitlement to a range of services for all children with special needs regardless of their disability until graduation or reaching their 22nd birthday. Most students leaving special education are able to enter competitive work situations and lead independent lives. However, the more severely disabled students are in need of ongoing habilitative services after special education, and for these individuals appropriate adult services will ensure that they continue to learn and develop throughout their adult lives.

Each year, approximately 500 to 700 disabled students lose their special education entitlement, but continue to need some form of habilitative services and support. The Massachusetts adult human services system has not been able to provide the variety and scope of services that these students require. As a result, many students were unserved or underserved once they graduated or reached their 22nd birthday. The adult human services system had no centralized capacity to provide coordinated planning, budgeting and integrated service delivery.

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Ch. 688, which amends C.L. 71B, addresses these problems by providing for a two year transitional process to plan for habilitative services for severely disabled young adults who will lose their entitlement to special education upon graduation or reaching the age of 22. Ch. 688 is not an entitlement to services. The law creates a single point of entry for disabled students from special education into adult human services by developing an Individual Transition Plan (ITP) for every person who is found eligible for Ch. 688 because he/she is disabled and will need ongoing services. Ch. 688 mandates that human service agencies work cooperatively to ensure that services in the ITP are provided. The provision of the services on the ITP are subject to appropriation by the Massachusetts Legislature.

CH. 688 ELIGIBILITY

All persons referred for Ch. 688 transitional planning must be receiving special education services and graduating or turning 22 on or after March 22, 1984 (the effective date of the law). Students should be in need of continuing services upon leaving special education and unable to work twenty or more hours per week in competitive, non-sheltered, non-supported employment.

People who are automatically eligible for Ch. 688 transitional planning and require no further determination include anyone receiving SSI or SSDI (based on their own disability), and anyone listed in the Registry of the Blind at the Massachusetts Commission for the Blind. A new unit at the Massachusetts Rehabilitation Commission has been established to determine 688 eligibility for those individuals who are not eligible for SSI. The 688 Eligibility Unit will determine if a person can work twenty or more hours

per week in competitive employment by reviewing an individual's records and/or scheduling a work evaluation and/or personal interview when necessary.

HOW THE SYSTEM WORKS

The system is Area Based and designed to allow a person to remain where his or her family lives. The process is as follows:

- o The local school district, through the 766 evaluation team, makes the decision that the person may need additional services beyond graduation or turning 22. The student and/or his parents may request the referral, but it must go through the local school district.
- o The local school district forwards the case to the appropriate human services agency, two years prior to the termination of a student's special education. In most cases, the agency that the case is forwarded to is the agency that would be the service provider, and will be designated as the Transitional Agency.
- o The Transitional Agency opens a client case file and assists with a referral to the Social Security Administration or the Chapter 688 Eligibility Unit at the Massachusetts Rehabilitation Commission to establish eligibility.
- o The Transitional Agency is responsible for developing an Individual Transitional Plan. Other appropriate human services agencies, school system personnel, the family, and the person who is disabled, participate in the development of the plan.

The Individual Transitional Plan is approved by the Executive Office of Human Services and is signed off by the Secretary. This plan must be

completed at least six months before the person finishes his or her education, when two year notice has been made. The Individual Transitional Plan spells out the services the individual actually needs and states those services that will be provided immediately upon graduation.

Each Individual Transition Plan stays in effect until it is replaced by an adult service plan. This entire process is closely monitored by the Bureau of Transitional Planning at the Executive Office of Human Services.

BUREAU OF TRANSITIONAL PLANNING

The BTP staffing includes a full time Director, Administrative Assistant, Program-Case Manager and half time Field Coordinator. The 688 Eligibility Unit at the Massachusetts Rehabilitation Commission has two full time counsellors. To date, 225 of the 260 Local Education Systems have made more than 1,400 688 student referrals to the state offices of Mental Health, Rehabilitation Commission, Social Services, Commission for the Blind, Public Health and Office for Deafness. The Transitional Advisory Committee has approved over 200 Individual Transitional Plans. It is anticipated that during the first year of operation, the BTP will receive approximately 2,200 student referrals under Ch. 688 and 500 to 700 referrals each year thereafter

THE CHALLENGE BEFORE US IS TREMENDOUS:

1. For human service agencies to develop a service delivery system which is responsive to individual client needs as diverse as the needs of the severely disabled.
2. For Individual Transition Plans to reflect multi-agency involvement for service delivery including program development and cost sharing.

3. For the BTP to identify needs and services for person who fall within the "low incidence" or unserved categories including persons with Prader Willi Syndrome, autism, rare medical disorders, multiply handicapped, and severe cerebral palsy/mentally retarded.
4. For EOHS/agencies to review their mandates and current practices of service delivery and client populations serviced.
5. For the BTP to aggregate data which provides information as to whether client needs are effectively being met by specific services.
6. For collaboration by education, human services agencies, and advocacy organizations to promote the programs needed for the severely disabled To work through and in cooperation with the Massachusetts Legislature. For adequate budget appropriations.
7. For local school systems to believe in and work with agencies to create a better system.

CONCLUSION

Massachusetts has been a leader in providing services to people who are disabled; with Ch. 688 the challenge continues. What has been learned in the implementation of this first in the nation law is very exciting to share with educators and advocates from other states. The BTP has already received over 150 inquiries from other states regarding Ch. 688. Staff has participated in national conferences and has provided technical assistance to states facing similar transitional legislation.

After nine months of operation, the Bureau of Transitional Planning at the Executive Office of Human Services ^{has} demonstrated interagency collaboration between human services agencies as well as with school districts, but most important has provided services for hundereds of severely disabled students leaving special education.

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